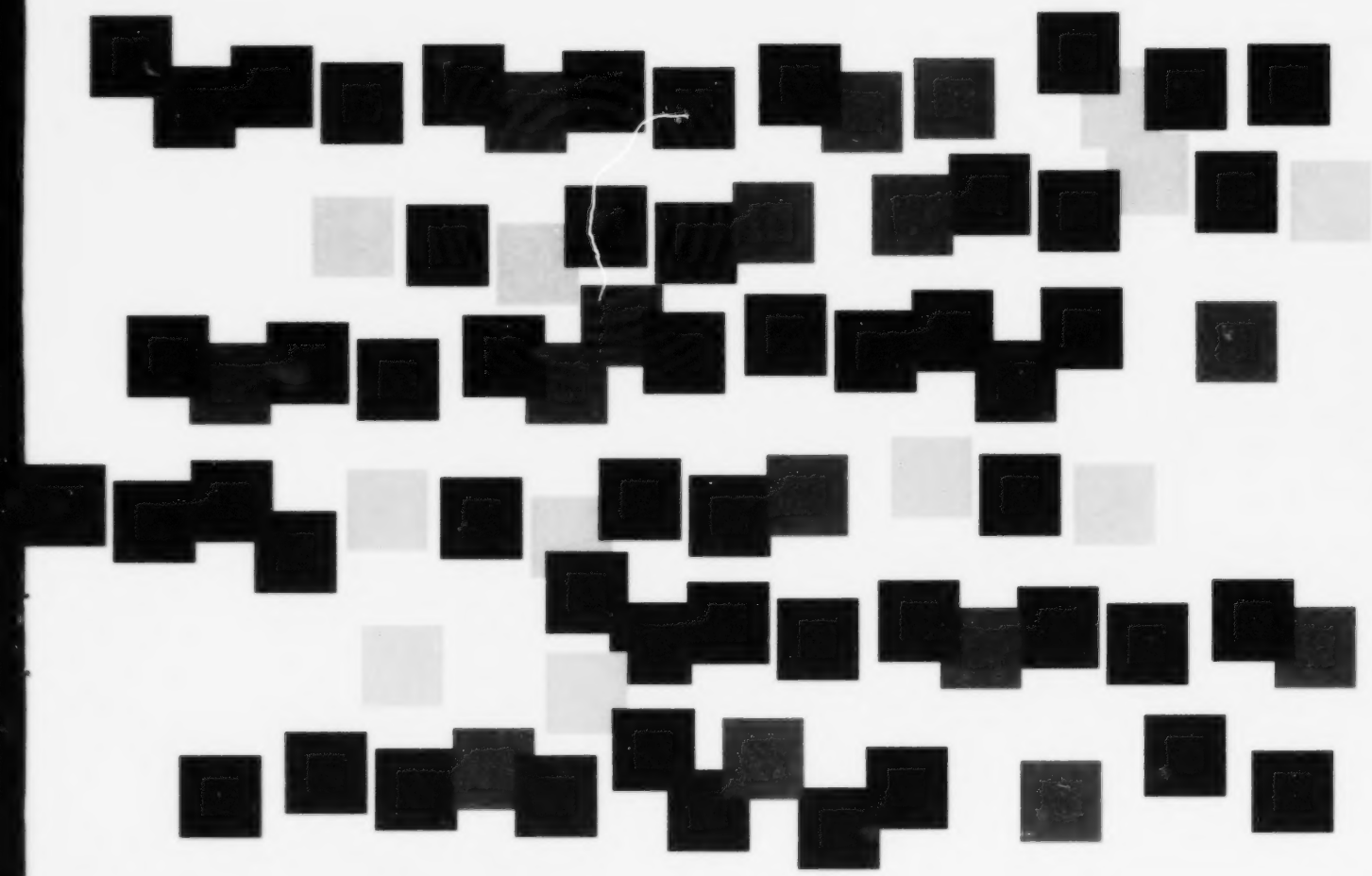
Building on Success, Welcoming More Immigrants

Eligibility Criteria for
Family Business Category
Nova Scotia Nominee Program

Draft for Discussion
October 2005



NOVA SCOTIA
Office of Immigration

Setting the Context: Nova Scotia's Immigration Strategy

In January 2005, Nova Scotia released its first immigration strategy, based on input from more than 100 individuals and groups. In line with this strategy, Nova Scotia is committed to enhancing immigration and has adopted the following policy statement:

> *Nova Scotia welcomes and embraces immigrants, recognizing the important contributions they make to our social, economic and cultural fabric. The Government of Nova Scotia will take a lead role in engaging and working with partners to attract, integrate and retain immigrants.*

Based on this policy, the strategy contains ambitious goals:

- to help immigrants settle, succeed and stay – specifically, to increase our retention rate from 40 to 70 per cent for the 2006 – 2011 census period
- to more than double the number of immigrants coming to our province – to 3,600 annually within four years of full strategy implementation

Provincial Immigration Minister Rodney MacDonald is committed to working with immigration partners to support and enhance existing immigration activities that contribute to reaching these goals. As well, he has directed the Office of Immigration to identify new opportunities to attract more immigrants, and to help them settle and stay.

This paper is intended to gather feedback on an opportunity to expand the successful Nova Scotia Nominee Program, directly supporting the province's attraction and retention goals.

Building on Success:
The Nova Scotia Nominee Program

Background

The Canada-Nova Scotia Agreement on Provincial Nominees was signed in August 2002. The purpose of this five-year agreement is to increase the economic benefits of immigration to Nova Scotia, based on industrial and economic priorities and labour market conditions. The agreement also recognizes the importance of encouraging the development of Acadian and Francophone communities.

Nominees accepted under this program become permanent residents of Canada, subject to approval by the federal government after health, criminality and security reviews.

The program was initially designed with three categories:

1) *economic* – aimed at immigrants with a proven track record in business
2) *skilled worker* – aimed at immigrants with skills in limited supply in Nova Scotia
3) *community-identified* – aimed at immigrants, identified by a community, as being able to make a specific economic, social or cultural contribution

The agreement permitted Nova Scotia to nominate 200 families a year, for five years. This cap could be raised by mutual consent between the two levels of government, if interest in the program warranted.

The first nominees were approved under the Nova Scotia Nominee Program in July 2003.

Success to Date

Since mid-2003, and particularly in the past 12 months, interest in the Nova Scotia Nominee Program has grown substantially. In June of this year, statistics showed that the province was on track to approve approximately 300 families. In response to this success, the federal government agreed to raise the cap above the 200 families permitted in the original agreement.

As the next step, the province has begun discussions with the federal government to eliminate the cap altogether so the number of nominee families coming to Nova Scotia can continue to grow.

Links to the Immigration Strategy

During the immigration strategy consultations, participants recommended that the province add three new categories so that the program is open to immigrants with a wider range of backgrounds and experiences:

- family members of business owners
- international students
- entrepreneurs

Given the success in the existing categories, and the ability to nominate more families, the time is right to add new categories now.

The first new category being developed will open the program to family members of business owners, who are citizens or permanent residents of Nova Scotia, *and* who are prepared to offer full-time permanent work to the potential nominee.

The main reasons that immigrants give for leaving Nova Scotia are a lack of work and the absence of family and friends. This new category requires both a guaranteed job offer *and* a close family relationship, directly supporting the province's efforts to help immigrants settle and stay.

Draft eligibility criteria were developed by a small working group consisting of a staff member from both the Office of Immigration and Citizenship and Immigration Canada, and an immigrant business owner.

The criteria are tailored to support:

- the purpose and objectives of the Canada-Nova Scotia Agreement on Provincial Nominees
- the province's retention goals and immigration strategy objectives
- the Nova Scotia Nominee Program goals, which include bringing immigrants most likely to succeed to the province, with a minimum of red tape and delay.

The criteria are now being circulated for comment and feedback. Written comments are invited until November 25, 2005.

Requesting Your Input: Family Business Category – Draft Criteria

Eligibility Criteria for Nominee Applicants	Supporting Detail
Proof of a permanent, full-time job in a Nova Scotia business owned by a family member	The application must include: a copy of the job offer or employment contract; and a detailed description of the position, including an annual salary commitment of at least $20,000.
Proof of a relationship to the family business owner in Nova Scotia, who is a permanent resident or a Canadian citizen	Family relationship is defined to include: sons or daughters age 22 or over, brothers, sisters, aunts or uncles.[1]
Age	Between 18 and 50.
Education and Training	Equivalent to Nova Scotia Grade 12 (generally, 13 years of schooling). Training and work experience related to the job offer.
Language Ability	Sufficient language ability in English or French to work in Nova Scotia upon arrival **OR** a commitment from the family-owned business to provide language training and employment-related supports.

[1] Defined as sisters or brothers of a parent.

- An in-province interview and exploratory week-long visit will be optional, at the request of the provincial nominee program officer.
- A non-refundable application fee of $1,700 is proposed.
- Approval of each individual nominee is also extended to the nominee's immediate family members (i.e., spouse and dependent children).

Obligations of the Family Business Owner[2]	Supporting Detail
Verify Nova Scotia business ownership and financial viability	Must provide copies of audited tax statements, information from an accountant or bank, or other documents that verify financial capacity to pay the required salary and benefits. Documents must be for at least the two years' previous to the nominee's application.
Provide permanent, full-time work	Minimum annual salary of $20,000; benefits and working conditions compliant with the Provincial Labour Standards Code.[3]
Sign an Affadavit of Support	To confirm the family relationship and commitment to the permanent job offer.
Agree to an interview by a Nova Scotia Provincial Nominee Officer	Optional, at the discretion of the provincial nominee officer.
Commit to provide language training and employment-related mentoring	

[2] Must be a permanent resident or Canadian citizen

[3] Employment benefits are typically set at 12 per cent (includes employment insurance, vacation pay, and Canada Pension Plan.)

- A Nova Scotia business owner is permitted to apply for one nominee every two years upon proof that previously successful nominees stayed and continued to work in Nova Scotia.

Opening the Discussion

Discussion points around some of the key criteria and obligations, particularly those relating to retention, are presented in the table below. Feedback does not need to be limited to these discussion points, but can they used as a guide.

Criteria	Question
Full-time, permanent employment: Research shows that the main reason immigrants leave Nova Scotia is because they cannot find work (or work at a high enough salary) to support themselves.	Is the $20,000 salary enough to support the success of the nominee and family members? Is it too high, which could act as a barrier for some family business owners? (An annual salary at minimum wage in Nova Scotia is between $13,000 and $14,000.)
Family relationship: Having family where you live and work is the second most critical retention factor.	Is the definition of a family member (sibling, aunt or uncle, son or daughter 22 or older) appropriate, too broad, or too narrow? The proposed definition is intended to prevent overlap with federal family-class sponsorship applicants.
Age: Most jurisdictions propose age ranges that: (a) begin high enough to allow the applicant to meet the minimum education requirements, and (b) end at an age where the applicant can still be expected to work for a reasonable number of years.	The age range proposed is based on research in other jurisdictions. Is the range of 18 – 50 years appropriate in Nova Scotia?
Language Ability: The ability to speak the language (English or French) in your new community is key to successfully integrating in all aspects of community life. For this reason, basic English or French skills are required in all existing Nominee Program categories.	Will the option of *learning* English or French upon arrival (as opposed to *having* these skills upon arrival) enable successful community integration?

Criteria	Question
Mandatory Interviews: Face-to-face interviews are mandatory before a nominee can be approved under all existing categories of the nominee program. This is a key retention feature in that the nominee's intent to stay and language skills can be explored. However, since family members have strong community ties and a guaranteed job, the mandatory interview, which requires expensive travel, may not be required in every case.	Should the mandatory face-to-face interview be waived for the family business category? Or should the policy on interviews be consistent in all categories?
Non-refundable Application Fee: Fees help ensure that applicants are serious in their intent, and committed to the process. At the same time, fees should be in line with the nominee's ability to pay, and the work involved in the processing.	Is the $1,700 fee in line with the costs of processing the application? Will it be affordable for the applicants?
Frequency of Family Business Owner Job Offers	Should businesses be able to offer jobs to relatives more or less frequently than every two years? If more frequently, how can the ability of the business to retain the nominee be measured?

Completing the Job

Written comments are invited until November 25, 2005, sent to:

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If you have questions, please call:
Carmelle d'Entremont
Program Director
(902) 424-5230 or
1-877-292-9597

Feedback will be considered and incorporated in December. The final criteria are expected to be available, and the nominee program is expected to be open to family business members, early in 2006.